

DRAFT

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
December 7, 2023, at 11:00 a.m.
Indiana Government Center South
402 West Washington Street, Room W064, Indianapolis, Indiana**

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Kathleen Matuszak, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT: Kathleen Matuszak, Chairperson
Thomas Sproles, Vice Chairman
Christopher Cooke
Frank Downing

BOARD MEMBER ABSENT: Timothy Corbett

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Marianna Kassenbrock, Assistant Board Director
Clarence Leatherbury, Deputy Attorney General
Courtney Calvert, Compliance Officer

ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda.

Sproles/Cooke
4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke
Motion carried.

ADOPTION OF THE MINUTES FROM THE OCTOBER 5, 2023, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes as corrected to remove Frank Downing from the vote.

Downing/Cooke
4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written and verbal report provided.

IPLA COMPLIANCE DIVISION REPORT

Courtney Calvert provided a written and verbal report. 8 funeral homes inspected since the last meeting. Project with inspecting old funeral homes will be ramped up this December.

Tom Sproles indicated that he understood the board requested each funeral home inspected each renewal period. He felt this would be at least 20 funeral homes per month. He requested Ms. Calvert notify Zaneta Nunally that the board feels she is not complying with the agreement Zaneta made with the board. The board requested she appear at their next board meeting to discuss this matter.

Zaneta Nunally appeared at the meeting after she attended the Medical Board meeting. Frank Downing offered to meet with the inspectors to train them in preneed, then the other members agreed to also participate and split up the Acts to teach inspectors.

CONSIDERATION OF MOTION TO DISMISS

1. Maple Grove Cemeterial Association Inc., 2023SBFCS0018

A motion was made and seconded to approve the motion to dismiss since they are now registered with the board.

Cooke/Sproles
4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke
Motion carried.

CONSIDERATION OF PROPOSED SETTLEMENT AGREEMENT

1. Kerry Palmer, Fd09200099 & Kent Palmer, FD08600351, 2023SBFCS0022

The board reiterated to the OAG that they have requested a board member attend all settlement conferences because the board is the most well versed in funeral and cemetery law.

A motion was made and seconded to accept the proposed Settlement agreement.

Sproles/Cooke
4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke
Motion carried.

PERSONAL APPEARANCE

1. Alford's Mortuary, FH19900032, 2023SBFCS0015 & 2023SBFCS0009

Manager Belicia Hicks appeared in person and Donald Alford Sr. appeared via telephone. All questions were answered to the Board's satisfaction.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR FUNERAL HOME BRANCH LICENSE

1. Magnolia Cremations, 2517 Veterans Pkwy, Jeffersonville, IN 47130

A motion was made and seconded to approve the application.

Sproles/Cooke
4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF PETITIONER'S MOTION TO DISMISS

1. Corey Craig May, Fd09100590 And Copher & Fessler Funeral Services, Inc. DBA Copher-Fessler-May Funeral Home, FH19900039 AND CA29900052, 2021SBFCS0011 AND 2021SBFCS0013

A motion was made and seconded to deny the Motion to Dismiss due to lack of information that the Office of the Attorney General could not divulge due to the respondent's attorney's absence.

Downing/Sproles
3/1/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Frank Downing
Voting against: Christopher Cooke
Motion carried.

CONSIDERATION OF APPLICATIONS FOR REINSTATEMENT OF CERTIFICATE OF AUTHORITY

1. Marion Cemetery Corp. D/B/A Estates of Serenity, CA21800026

A motion was made and seconded to table the matter until after litigation action has been taken.

Cooke/Downing

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke

Motion carried.

ANNUAL REVIEW OF CEMETERY MAINTENANCE CONSUMER PROTECTION FUND BALANCE TO DETERMINE IF PAYMENT INTO THE FUND IS REQUIRED MARCH 1, 2024.

A motion was made and seconded to suspend the March 1, 2024 payment into the fund due to the statutory limit.

Cooke/Sproles

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke

Motion carried.

ANNUAL REVIEW OF PRENEED CONSUMER PROTECTION FUND BALANCE TO DETERMINE IF PAYMENT INTO THE FUND IS REQUIRED MARCH 1, 2024.

A motion was made and seconded to suspend the March 1, 2024 payment into the fund due to the statutory limit.

Sproles/Downing

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke

Motion carried.

CONSIDERATION OF PAYMENT OF INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS 2024 MEMBERSHIP DUES FROM THE FUNERAL EDUCATION FUND; \$250.00

A motion was made and seconded to approve the payment.

Sproles/Cooke

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke

Motion carried.

INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS 2024 ANNUAL MEETING, FEBRUARY 27-29, 2024

A motion was made and seconded to have Tom Sproles attend.

Sproles/Cooke

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke

Motion carried.

2021/2022 CONTINUING EDUCATION AUDIT REVIEW

A motion was made and seconded to impose the following action.

Sproles/Downing

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke

Motion carried.

Gregory Atkins, FD29300077 – Tabled for proof of surgeries.
David Colquitt, FD29500083 – Impose a fine of \$5000.00 and require 10 hours of continuing education.
Robert Eatman, FD21700003 – Impose a fine of \$1000.00 and require 3 hours of law continuing education.
Emily Hagen, FD21200017 - Impose a fine of \$1000.00 and require 1 general hour of law continuing education.
Anthony Holmes, FD21200018 - Impose a fine of \$1000.00 and require 3 hours of law continuing education.
Aundray Jones, FD21100046 - Impose a fine of \$5000.00 and require 10 hours of law continuing education.
Curt Little, FD08600987 - Impose a fine of \$1000.00 and require 1 general hour of law continuing education.
Charles Scheuer, FD01006049 - Impose a fine of \$5000.00 and require 10 hours of continuing education.
Robert Stone, FD20700076 - Impose a fine of \$5000.00 and require 6 general hours of continuing education.
Matthew Walker, FD21600060 - Impose a fine of \$5000.00 and require 10 hours of continuing education.
William Willis, FD01024386 - Impose a fine of \$1000.00 and require 2 hours of law continuing education.

ELECTION OF OFFICERS FOR 2024-2025

A motion was made and seconded to elect Tom Sproles as Chairman and Chris Cooke as Vice Chairman for 2024 and 2025.

Sproles/Cooke

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke

Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve the report as indicated below.

Downing/Sproles

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Frank Downing, and Christopher Cooke

Motion carried.

Cremation Association of North America, CE21200016

- A. Cremation Arrangement Conference Best Practices, 2024, 2 CEUs, non-law
- B. Phone Shoppers: Your Best First Impression, 2024, 1 CEU, non-law
- C. Cremation & the Environment, 2024, 2 CEUs, non-law
- D. The Power of Presence: Introduction, 2024, 2 CEUs, non-law
- E. Communication Skills Fundamentals, 2024, 1 CEU, non-law
- F. The Cremation Choice, 2024, 2 CEU, non-law
- G. Ethics in Funeral Service, 2024, 2 CEU, non-law
- H. Aftercare: An Introduction, 2024, 2 CEU, non-law
- I. Three Tools for Improving Your Business, 2024, 1 CEU, non-law
- J. Complying the FTC Funeral Rule, 2024, 1 CEU, non-law
- K. Presentation Without Preservation, 2024, 1 CEU, non-law
- L. CANA's Online Crematory Operations Certification Program, 2024, 8 CEUs, non-law
- M. 2024 CANA Symposium, February 14-16, 2024, 7 CEUs, non-law

Flanner and Buchanan Funeral Center, CE10800861

- A. Funeral Religious Practices Session, 1/16/24, 1 CEU, non-law

Graystone Associates, Inc., CE21100027

- A. 2024 Graystone Summit Conference, 2/12-15/24, 15 CEU, non-law

Homesteaders Life Company, CE10800737

- A. Ethics of AI in Preneed Insurance, 4/1, 6/10, 12/2 (2024), 3 CEU, non-law
- B. Insurance Funded Prearranged Funeral Niche, 4/2, 6/11, 12/3 (2024), 3 CEU, non-law

- C. Preneed Insurance & Super Clusters, 4/3, 6/12, 12/4, 3 CEU, non-law
- D. Navigating Preneed Insurance Consumer Needs, 4/4, 6/13, 12/5 (2024), 3 CEU, non-law

Calvin Lewis, CE21800071

- A. The FTC Yesterday, Today, and Tomorrow, ongoing, 2 CEU, non-law
- B. OSHA, ongoing, 2 CEU, non-law
- C. Ethics for Funeral Service, ongoing, 1 CEU, non-law
- D. Cremation Act, ongoing, 1 CEU, LAW
- E. Preneed Act, ongoing, 1 CEU, LAW
- F. Cemetery Act, ongoing, 1 CEU, LAW
- G. The Practice of Funeral Service, 1 CEU, non-law

National Funeral Directors and Morticians Association, Inc., CE10800785

- A. Who is NFDMA?, 2/18/24, 1 CEU, non-law
- B. The Time is Now: Social Media Etiquette, 2/18/24, 1 CEU, non-law
- C. I Want to Own: Pros, Cons, and What's Needed, 2/18/24, 2 CEU, non-law
- D. The End of Direct Cremation, 2/19/24, 2 CEU, non-law
- E. Back to the Basics of Restorative Art, 2/19/24, 2 CEU, non-law
- F. Preparing to Sit for the National Board Exam, 2/20/24, 2 CEU, non-law
- G. How to Improve Mental Health, 2/20/24, 1 CEU, non-law

Selected Independent Funeral Homes, CE10800819

- A. What the Tech?, 1/29/24, 3 CEU, non-law
- B. Brand Differentiating Service: Delivering, 1/30/24, 3 CEU, non-law
- C. 'Next' Practices Exchange, 2/1/24, 2 CEU, non-law

Tribute Technology,

- A. Why Website Data is your Biggest Asset, 1/15/24, 1 CEU, non-law
- B. Maximize Your Firm's Value Through Digital Strategy, 1/15/24, 1 CEU, non-law
- C. Get to Know the Funeral Floral Network, 1/15/24, 1 CEU, non-law
- D. Meeting Family Expectations with Few Staff, 1/16/24, 1 CEU, non-law
- E. When Data is Culture, Data is Power, 1/16/24, 1 CEU, non-law
- F. How AI Can Save You Time & Keep Families Connected, 1/16/24, 1 CEU, non-law

Wilbert Funeral Services, Inc., CE21500018

- A. Air Force Mortuary Affairs Operations, 11/30/23, 1 CEU, non-law - **Denied, applied after course date.**
- B. How to Compete on Service in a Price Sensitive Market, 3/7/24, 1 CEU, non-law
- C. Handling Fetal Remains in the Wake of the Dobbs Decision, 12/14/23, 1 CEU, non-law
- D. Cranial Care of the Postmortem Brain Donor, 2/22/24, 1 CEU, non-law

Jacob Rhodes appeared as part of his litigation compliance.

ADJOURNMENT

The meeting adjourned at 2:42 p.m.